

#### **PLANNING & ZONING COMMISSION MEETING**

Tuesday, January 24, 2023 at 6:00 PM

#### **Agenda**

- 1. Call to Order
- 2. Approval of Minutes
  - A) Planning and Zoning Minutes December 27, 2022
- 3. Request for Conditional Use
  - A) Stuckey Mine
- 4. New Business
- 5. Next Meeting

February 28, 2023

6. Adjourn

### MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF GLUCKSTADT, MISSISSIPPI

A regular meeting of the Planning and Zoning Commission of the City of Gluckstadt, Mississippi ("the Board") was duly called, held, and conducted on Tuesday, December 27, 2022, at 6:00 p.m. at Gluckstadt City Hall, 343 Distribution Drive, Gluckstadt, Madison County, Mississippi.

The following members were present, to-wit:

Melanie Greer Phillips King Sam McGaugh Katrina Myricks

Present via phone conference:

Tim Slattery

Absent:

Andrew Duggar

Also present:

Zachary L. Giddy, Attorney
Mike McCollum and William Hall, City of Gluckstadt

Chair Melanie Greer called the meeting to order. Roll was called and it was announced that a majority of the voting members of the Board were present, and that said number constituted a quorum.

The Board considered the Minutes of the November 22, 2022, meeting. Commissioner Sam McGaugh moved to approve the minutes as written. The motion was seconded by Commissioner Katrina Myrick and approved unanimously.

#### **NEW BUSINESS**

#### Preliminary Plat – Kayo Place "Located off Calhoun Station Pkwy"

The Board considered the Preliminary Plat Site Plan Kayo Drive, which is located off Calhoun Station Parkway. Mike and Sam Peters appeared on behalf of Kayo Place. This is 12 acres of land sold with 3 parcels with a 400-foot cul de sac on the back parcel. The front parcel will have access to current water and sewer lines. The road design will be built according to city requirements. The property is currently zoned C2. Commissioner McGaugh recommended an additional 50-foot buffer from the

southwest property line on the two sides adjacent to the commercially zoned property that is currently being used as residential.

On motion by Commissioner Sam McGaugh and seconded by Commissioner Katrina Myricks, the Board voted unanimously to approve the preliminary plat subject to an additional 50-foot buffer along the southwest portion of Lot 3 that borders the commercially zoned property that is currently being used as residential identified by Tax Parcel No. 082E-21-002. Motion carried.

There was discussion regarding the Sign Ordinance update and the notice to adopt the FEMA and MEMA guidelines. No action was taken.

There was no further business to be presented.

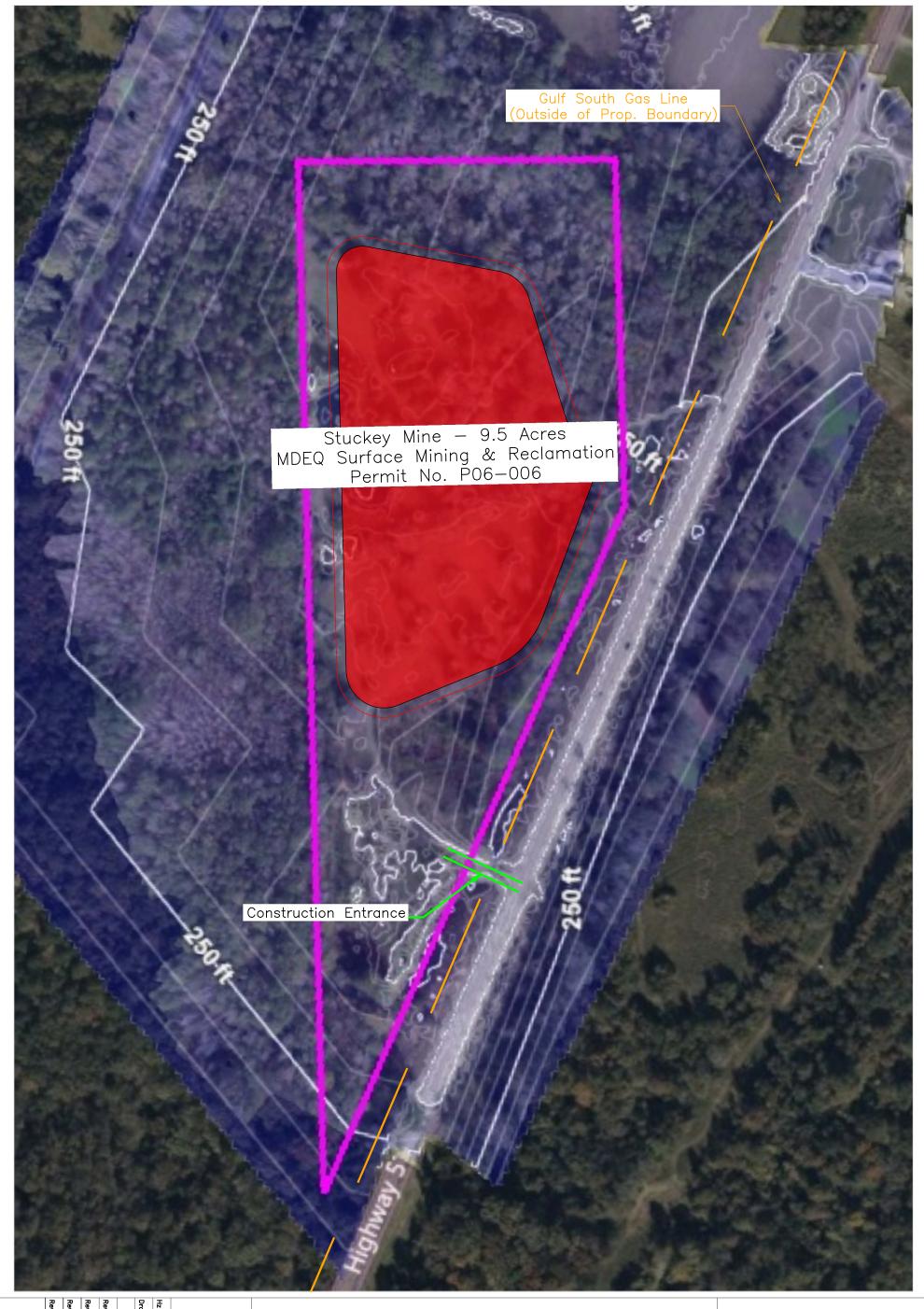
#### **ADJOURN**

Commissioner Melanie Greer moved t by Commissioner Sam McGaugh and appro carried.		_	•	
WITNESS OUR hands, this the	_ day of			_, 2022.
		MELANIE (	GREER, Chair	rman
Sam McGaugh, Vice Chariman/Secretary				

#### **EXHIBIT C4**



EXHIBIT C1



z Scale: 1 : XXXX	X	Vt Scale: X	
awn By:		Chkd By:	
	Revision	Revision History	
evision	1	DD/MM/7TTY	Initials
evision			
evision			
evision			

Proposed Stuckey Mine Site Plan



ENGINEERS - CONSTRUCTORS

Post Office Box 590 - 219 Key Drive (39110)

MADISON, MS 39130-0590

601-898-9892 Fax 601-898-9896

800K 2666 PAGE 907 DOC OI TY W INST # 646529 MADISON COUNTY MS. This instrument was filed for record 5/17/11 at 9:08:03 AM ARTHUR JOHNSTON, C.C. BY: HRM D.C.

Prepared by and after recording return to:

Grantor's Name and Address: Grantee's Name and Address:

Taggart, Rimes & Usry, PLLC Attention: Jamie Martin MSB #1892

1022 Highland Colony Parkway, Suite 101

Ridgeland, MS 39157 Telephone: 601.898.8400

Key Constructors, Inc. P.O. Box 3140

Ridgeland, MS 39158 Telephone: 601 421 219 Key Drive

Key Crete, LLC

Madison, MS 39110 **7869** Telephone: 601.898.9892

Indexing Instructions: The real property described herein is situated in the E1/2, E1/2, SW1/4, Section 22, T 8N, Range 2E, Madison County, MS

#### GENERAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, KEY CONSTRUCTORS, INC., a Mississippi corporation (the "Grantor"), does hereby sell, convey and warrant generally unto KEY CRETE, LLC, a Mississippi limited liability company (the "Grantee"), the property lying and being situated in Madison County, Mississippi, and being more particularly described on Exhibit A attached hereto, together with all oil, gas, mineral or other leases, rights or reservations belonging to the Grantor, and improvements situated thereon and all appurtenances hereunto belonging.

WITNESS THE SIGNATURE OF THE GRANTOR, effective as of the day of 2011, although actually executed on the date set forth in the acknowledgment.

#### GRANTOR

KEY CONSTRUCTORS, INC.,

a Mississippi corporation

BOOK 2666 PAGE 9NA

#### EXHIBIT A

#### PROPERTY DESCRIPTION

The following described tract of land lying within the E ½, E ½, SW ¼, Section 22, T8N, R2E, Madison County, Mississippi and more particularly described as follows:

Commence at a 2" iron pin marking the SW corner of Section 22, T8N, R2E, Madison County, Mississippi; thence North 89 degrees 36 minutes 49 seconds East along the South line of Section 22 for 2010.44 feet; thence North 01 degrees 25 minutes 00 seconds West for 469.67 feet to the POINT OF BEGINNING; THENCE North 01 degrees 25 minutes 00 seconds West for 2170.33 feet to an iron pin: thence North 89 degrees 36 minutes 49 seconds East for 670.15 feet to an iron pin; thence South 01 degrees 25 minutes 00 seconds East for 732.51 feet to an iron pin at the West R.O.W. of US Hwy. 51: thence South 23 degrees 45 minutes 16 seconds West along the West R.O.W. line of US Hwy. 51 for 1575.37 feet to the POINT OF BEGINNING and containing 22.33 acres more or less.

KEY CONSTRUCTORS, INC.,

a Mississippi corporation

and a

BOOK 2666 PAGE 909 ###

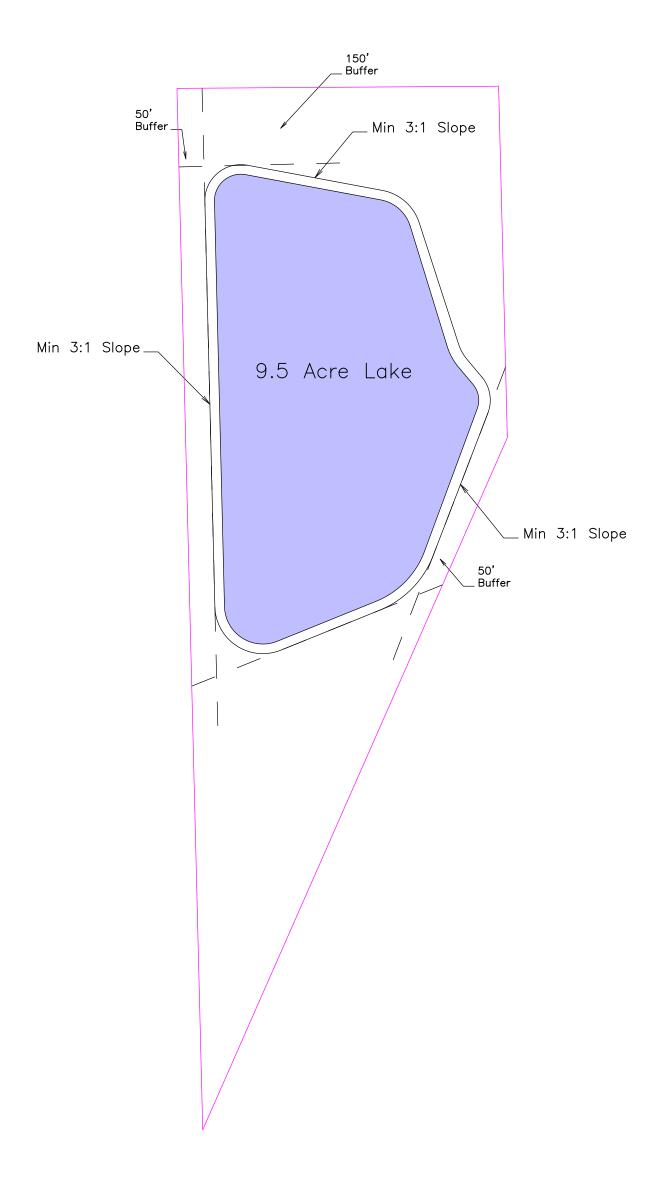
STATE OF MISSISSIPPI COUNTY OF Madison

Personally appeared before me, the undersigned authority in and for the said county and state, on this day of Man 2011, within my jurisdiction, the within named of KEY CONSTRUCTORS, INC., a Mississippi corporation, and that for and on behalf of said corporation, and as its act and deed, he executed and delivered the above and foregoing instrument after first having been duly authorized by said corporation so to do.

Notary Public

My Commission Expires:

#### **EXHIBIT C7**



Drawn By:		Chkd By:	
R.	evisio	Revision History	
Revision	-	DD/MM/YYYY	Initials
Revision			
Revision			
Revision			

Proposed Stuckey Mine Reclamation Plan

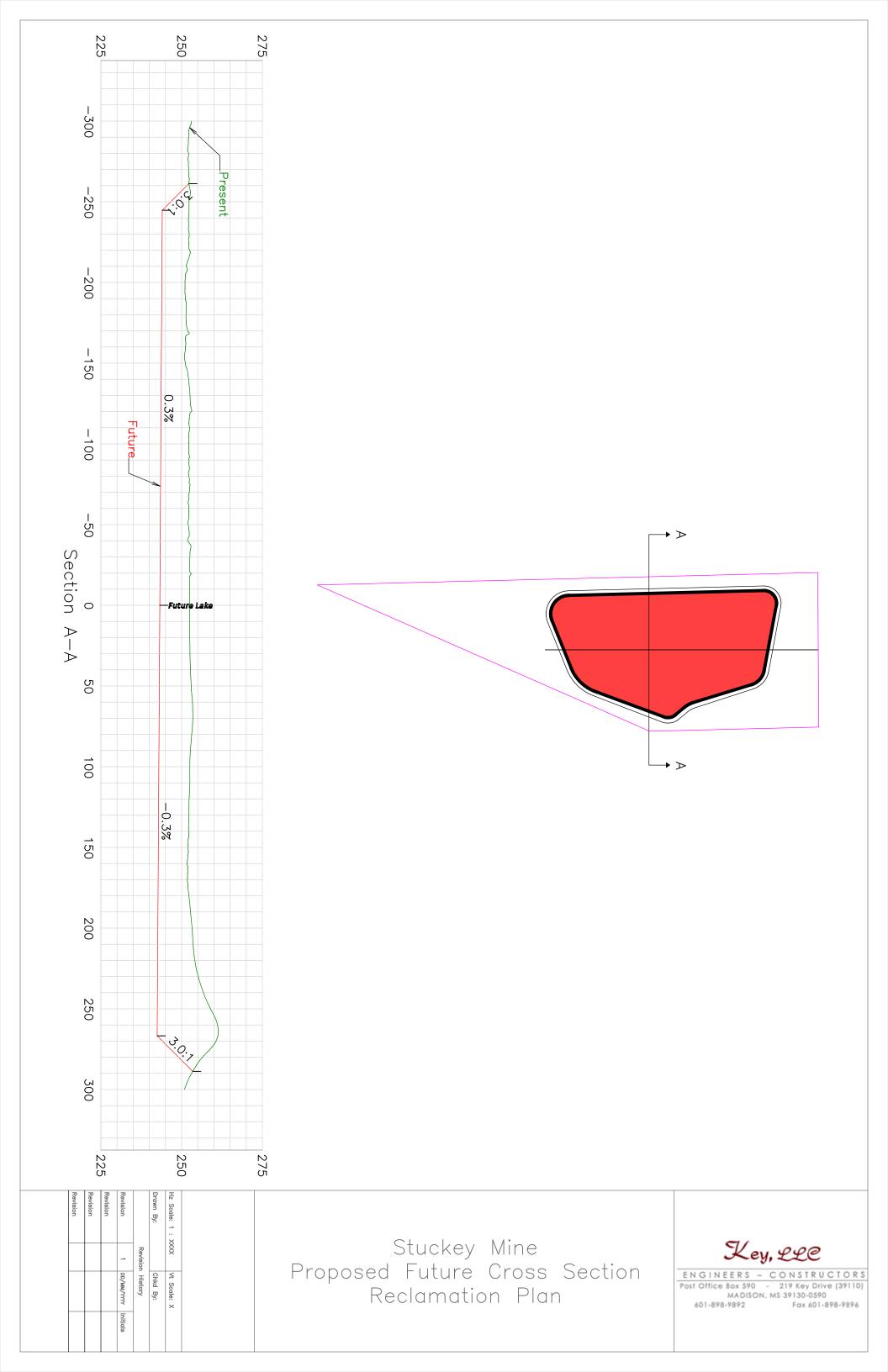


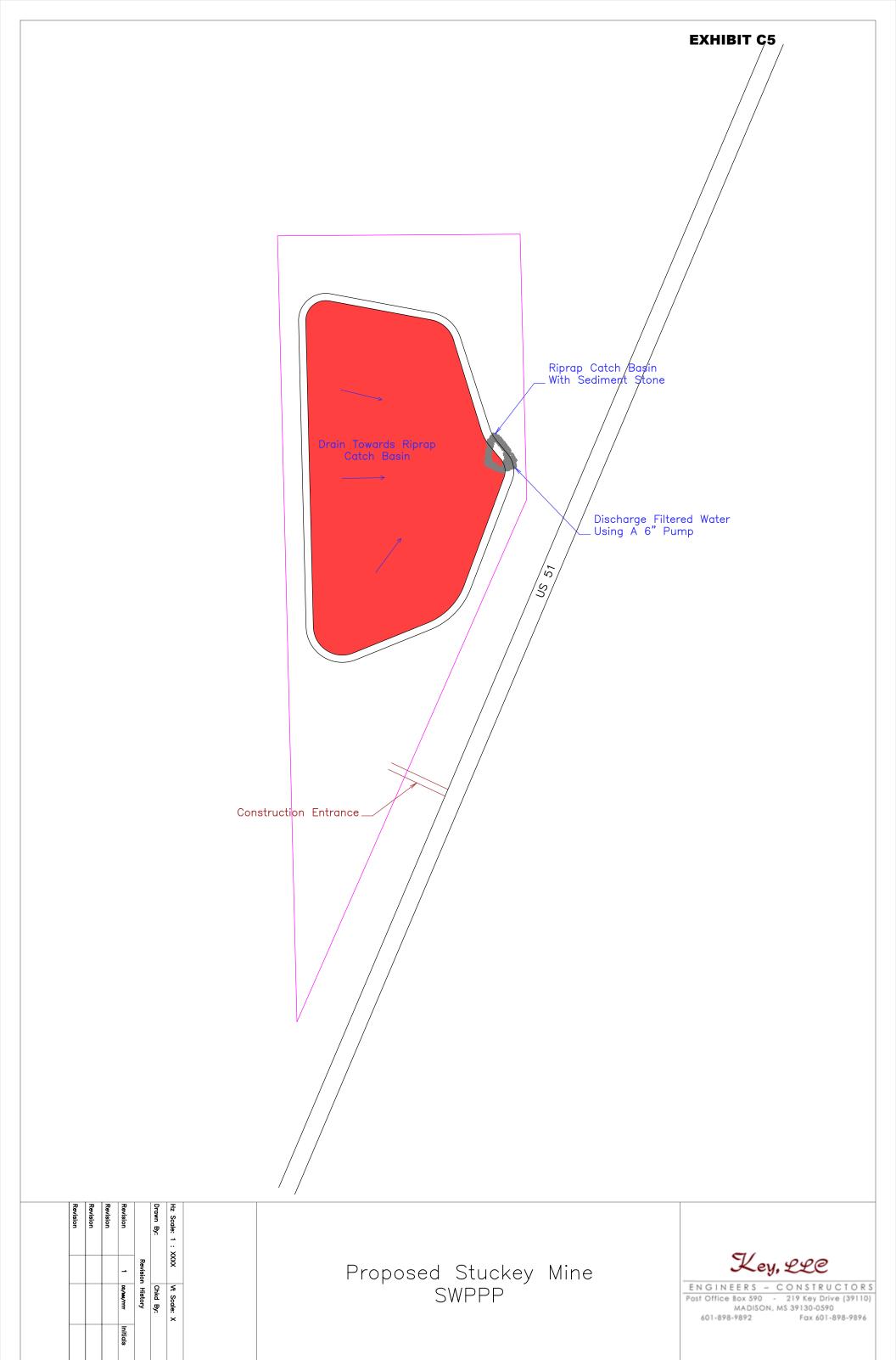
ENGINEERS - CONSTRUCTORS

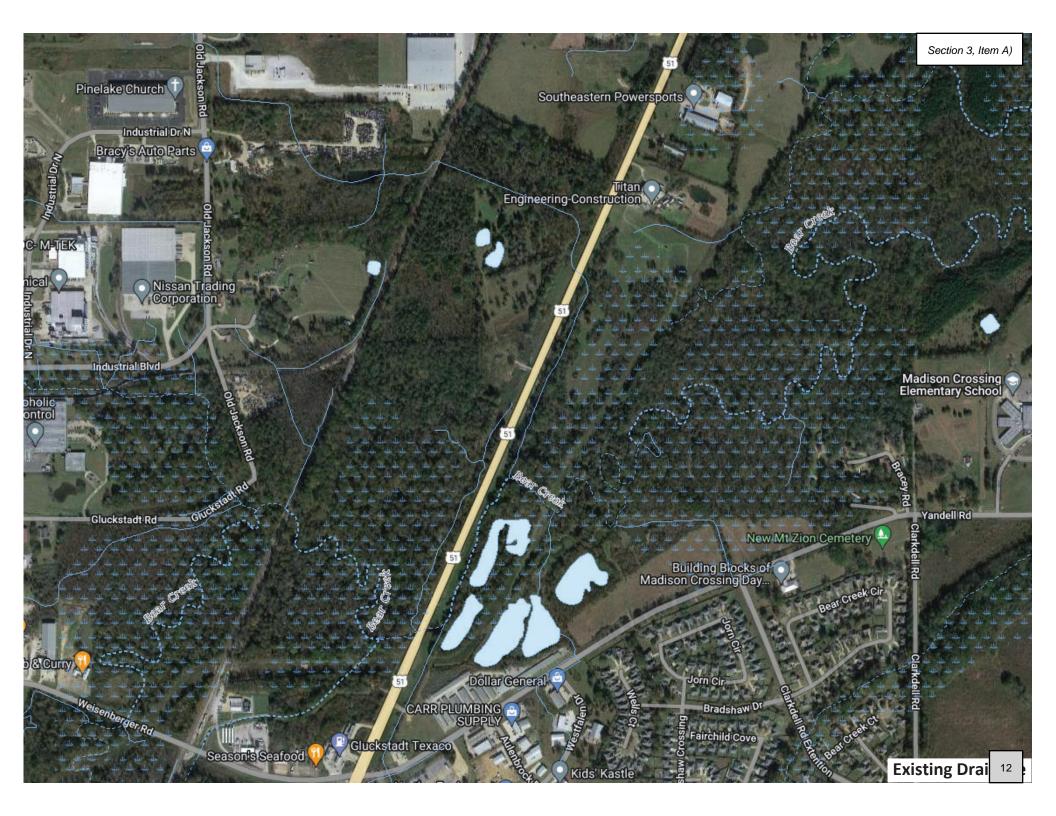
Post Office Box 590 - 219 Key Drive (39110)

MADISON, MS 39130-0590

601-898-9892 Fax 601-898-9896







#### **City of Gluckstadt**

#### **Application for Conditional Use**

Subject Property Address: 1909 US-51, Gluckstadt,	MS 39110
Parcel #: 082E-22-012/00.00	
Owner: Key Crete, LLC	Applicant: Key, LLC
Address: 219 Key Drive	Address: 219 Key Drive
Madison, MS 39110	Madison, MS 39110
Phone #: (601) 898-9892	Phone #: <u>(601) 898-9892</u> cell- (601) 441-7097
E-Mail: rwebster@keyllc.com	E-Mail:dporter@keyllc.com
Current Zoning District: R-1 (one small strip of C-1	on property but that areas will not be used)
Acreage of Property (If applicable): 22.33	
Use sought of Property: Surface Mining of Borrow Exe	cavation to use
at Madison Cnty Proj. No. STP-6900-00(003)LPA/10699	2-701000 - Reunion Pkwy Phase III

#### **Requirements of Applicant:**

- Letter demonstrating how the proposed use will comply with or otherwise satisfy the requirements for granting a Conditional Use pursuant to Section 804.01 of the Zoning Ordinance.
- 2. Copy of written legal description.
- **3.** Additional items may be requested depending on the nature and status of the proposed development or property.
- 4. \$ 250.00 fee required for processing
- 5. Sie Plan as required in Section 807-810

#### Requirements for Granting Conditional Use: (Section 805.01, Zoning Ordinance)

A Conditional Use shall not be granted unless satisfactory provisions and arrangements have been made concerning all the following:

- (a). Ingress and egress to property and proposed structures
- (b). Off-Street parking and loading areas
- (c). Refuse and service areas
- (d). Utilities, with reference locations, availability, and compatibility.
- (e). Screening and buffering with reference to type, dimensions, and character.
- (f). Required yards and other open spaces.
- (g). General compatibility with adjacent properties and other properties in the district.
- (h). Any other provisions deemed applicable by the Mayor and Board of Aldermen.

Applicant shall be present at the Planning and Zoning Commission meeting and Mayor and Board of Alderman meeting. Documents shall be submitted thirty (30) days prior to the Planning and Zoning Commission meeting.

#### Applicant is responsible for complying with all applicable requirements of the Zoning Ordinance.

By signing this application, it is understood and agreed that permission is given to the Zoning Administrator to have a sign erected on subject property, giving notice to the public that said property is being considered for a dimensional variance.

General Counsel of Key, LLC

12 / 1 / 2022 Date

**Applicant Signature** 

Manager/Owner of Key Crete, LLC

**Property Owner Signature** 

#### **City of Gluckstadt**

#### **Application for Site Plan Review**

Subject Property Address:1909 US-51, Gluck	kstadt, MS 39110
Parcel #:082E-22 -012/00.00	
Owner: Key Crete, LLC	Applicant: Key, LLC
Address: 219 Key Drive	Address: 219 Key Drive
Madison, MS 39110	Madison, MS 39110
Phone #:(601) 898-9892	Phone #: <u>(601) 898-9892</u>
E-Mail: dporter@keyllc.com	E-Mail: <u>dporter@keyllc.com</u>
Current Zoning District: R-1 (one small strip of C	- <u>1 but that area wil</u> l not be used)
Acreage of Property (If applicable): 22.33	
Use sought of Property:Surface Mining of Borro	ow Excavation to
use at Madison Cnty Proj. No. STP-6988-00(00	03)LPA/106992-701000 - Reunion Pkwy Phase III

#### **Requirements of Applicant:**

- 1. Copy of written legal description.
- 2. Site Plan as required in Sections 807-810 of City of Gluckstadt Zoning Ordinance
- 3. Color Rendering & Elevations at time of submittal

#### Requirements for Site Plan Submittal (Refer to Section 807, Gluckstadt Zoning Ordinance)

Nine (9) copies of the site plan shall be prepared and submitted to the Zoning Administrator. Digital copies are acceptable. Three (3) hard copies are required.

#### Site Plan Specifications (Section 809, Zoning Ordinance)

- A. Lot Lines (property lines)
- B. Zoning of the adjacent lots
- C. The names of owners of adjacent lots
- D. Rights of way existing and proposed streets, including streets shown on the adopted Throughfares plan
- E. Access ways, curb cuts, driveways, and parking, including number of parking spaces to be provided
- F. All existing and proposed easements
- G. All existing and proposed water and sewer lines. Also, the location of all existing and proposed fire hydrants.
- H. Drainage plan showing existing and proposed storm drainage facilities. The drainage plan shall indicate adjacent off site drainage courses and projected storm water flow rates from off-site and on-site sources.

- I. Contours at vertical intervals of five (5) feet or less.
- J. Floodplain designation, according to FEMA Maps.
- K. Landscaped areas and planting screens.
- L. Building lines and the locations of all structures, existing and proposed
- M. Proposed uses of the land and buildings, if known
- N. Open space and recreation areas, where required.
- O. Area in square feet, and/or square acres of parcel
- P. Proposed gross lot coverage in square feet
- Q. Number and type of dwelling units where proposed
- R. Location of sign structures and drawings. (Section 701)
- S. Location of garbage dumpster and enclosure. (Section 406.06)
- T. Any other data necessary to allow for a through evaluation of the proposed use, including a traffic study.

Applicant shall be present at the monthly meeting of the Planning and Zoning Commission when site plan is on the agenda for consideration; additionally, applicant shall be present at the Mayor and Board of Alderman meeting when the site plan is on the agenda for final approval.

Applicant is responsible for complying with all applicable requirements of the Gluckstadt Zoning Ordinance.

Site Plans shall be submitted by the 5:00 pm on the 5<sup>th</sup> day of the month, immediately preceding the next regular meeting of the Planning and Zoning Commission. <u>No Exceptions.</u>

Once submitted to the Planning & Zoning Administrator for approval to add to the Planning and Zoning Commission's agenda, no amendments or changes shall be made to the site plan. If you wish to submit changes, you will be required to resubmit by the 5<sup>th</sup> of the following month for the next monthly meeting of the Planning and Zoning Commission.

<u>Attestation:</u> By signing this application, the applicant agrees to all the terms and conditions laid out in this document. <u>Approval of site plan is subject to Board approval.</u>

Laste kyuc	12/1/2022
Applicant Signature	Date

# CITY OF GLUCKSTADT BUILDING DEPARTMENT OFFICE USE ONLY Date Received: Application Complete & Approved to Submit to P&Z Board (please check): Yes\_\_\_\_\_\_ No\_\_\_\_\_ Signature: Planning & Zoning Administrator (or Authorized Representative)

Section 3, Item A)



#### ENGINEERS - CONSTRUCTORS

Post Office Box 590 - 219 Key Drive (39110) MADISON, MS 39130-0590 601-898-9892 Fax 601-898-9896

December 1, 2022

#### Via Hand-Delivery

CITY OF GLUCKSTADT, MS Planning and Zoning Commission 343 Distribution Drive Madison, MS 39110

RE: Application for Conditional Use; Stuckey Mine – MDEQ Surface Mining General and Reclamation Permit No. P06-006; Madison County Proj. No. STP-6900-00(003)LPA/106992-701000

#### Dear Commission:

Pursuant to the City of Gluckstadt's Ordinance No. 2021-4, Sec. 805.01, enclosed please find Key, LLC's Application for Conditional Use to operate a surface mining pit to support the construction of the proposed Madison County Proj. No. STP-6900-00(003)LPA/106992-701000 – Reunion Parkway Phase III. In support of its Application, Key would respectfully show the following:

- 1. The "Property" subject to this Application is a 22.33-acre tract located at 1909 US-51. The Property is owned by Key Crete, LLC, a subsidiary of Key, LLC.
- 2. The Property contains a 15-acre borrow excavation pit known as the "Stuckey Mine." The Stuckey Mine has been granted permission to conduct mining operations by the Mississippi Dept. of Environmental Quality under Surface Mining and Reclamation Permit No. P06-006.
- 3. The Property is primarily zoned as Residential Estate District (R-1), with the exception of a small strip of General Commercial District (C-1) in the southerly portion of the tract. The Stuckey Mine area of the Property that is proposed to be used is approx. 9 acres and is entirely zoned R-1.
- 4. Under Ordinance 2021-4, Art. X, Sec. 1002, the City expressly provides that

mining operations are a Conditional Use in R-1 districts:

[A Conditional Use of R-1 includes] [e]xtract[ing] of minerals, . . . sand and gravel, provided that when "open-pit" operations are proposed, a Reclamation Plan shall be approved by the Mayor and Board of Aldermen prior to the initiation of such open pit mining operations. The operator must obtain the required permits and approvals, which shall not be transferrable, from other governmental entities and provide the Mayor and Board of Aldermen with written proof of same.

5. In accordance with Ordinance 2021-4, Art. X, Sec. 1002, a proposed Reclamation Plan for the Stuckey Mine is included with this submission. Further, Key, LLC, as the applicant and proposed operator of the Stuckey Mine, is the holder of MDEQ Surface Mining and Reclamation Permit No. P06-006, which authorizes Key, LLC to conduct surface mining operations at the Stuckey Mine.

To satisfy any remaining Application requirements of Ordinance 2021-4, Sec. 805.01, including subsections (A) - (I), Key has enclosed a \$250.00 check for the application processing fee, and also submits nine (9) copies of the following Exhibits:

**Exhibit A:** Copy of Warranty Deed with Legal Description

**Exhibit B:** Copy of MDEQ Surface Mining and Reclamation Permit No. P06-006 covering the Stuckey Mine

**Exhibit C:** Application for Site Plan Review and Supporting Documents

**Exhibit C-1:** Site Map with Color Rendering and Current Elevations, all existing utility lines and the entrance to the Property

Exhibit C-2: Lot Lines and Names of Adjacent Landowners

Exhibit C-3 Zoning of the Property and Adjacent Lots

Key would show that the lots surrounding the Property are undeveloped R-1 tracts, Highway Commercial (C-2) tracts, or Heavy Industrial (I-2) tracts. Therefore, there is a much lower likelihood that the mining activities would adversely impact

nearby properties.

Further, the mining activity timeline contemplated under the Project would be from March 1, 2023 through March 1, 2025. Key would request to operate the Stucky Mine Monday through Sunday, 7am to 6pm, during that timeline.

**Exhibit C-4:** Map showing Existing Contours of Property

Exhibit C-5: Maps showing Stormwater and Draining Plan

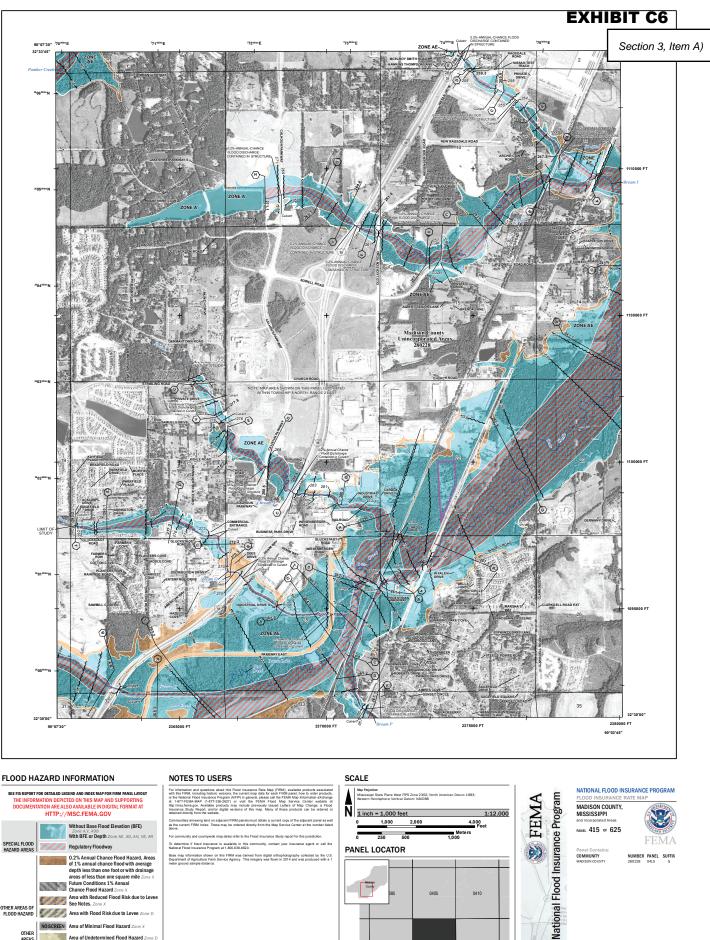
Exhibit C-6: FEMA Flood Map

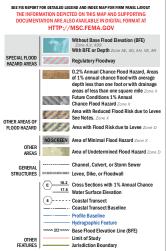
**Exhibit C-7:** Maps showing reclamation plan for Property

Therefore, for these reasons and those to be presented at a Public Hearing on this matter, Key respectfully requests that the City approve Key's Application for a Conditional Use to operate the Stuckey Mine to support the construction of the proposed Madison County Proj. No. STP-6900-00(003)LPA/106992-701000 – Reunion Parkway Phase III.

Sincerely,

Dave Porter General Counsel





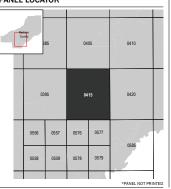
OTHER FEATURES

To determine if flood insurance is available in this of National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was derived from digital orthophotography collected by the U.S. Department of Agriculture Farm Service Agency. This imagery was flown in 2014 and was produced with a 1 meter ground sample distance.



#### PANEL LOCATOR



MADISON COUNTY, MISSISSIPPI

PANEL 415 OF 625



COMMUNITY

NUMBER PANEL SUFFIX 280228 0415 R

PRELIMINARY 2/9/2018

> VERSION NUMBER 2.3.3.3 20



#### State of Mississippi

#### TATE REEVES

#### MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

February 03, 2021

Key, LLC Mr. Paul McPhail P. O. Box 590 - 219 Key Drive Madison, MS 39130-0590

Dear Mr. McPhail:

Your Surface Mining Permit No. P06-006 for 15 acres in Madison County, Mississippi, has been renewed. The new expiration date is 03/21/26.

Sincerely,

David Dockery, RPG

State Geologist and Director

MDEQ Office of Geology

## State of Mississippi Surface Mining and Reclamation PERMIT

TO CONDUCT SURFACE MINING OPERATIONS
IN ACCORDANCE WITH THE
MISSISSIPPI SURFACE MINING AND RECLAMATION LAW
MISS. CODE ANN. § 53-7-1 ET SEQ.

#### THIS CERTIFIES THAT

Key, LLC

has been granted permission to conduct surface mining operations in accordance with the requirements and conditions set forth herein in the operation of the

Stuckey Mine Madison County, Mississippi.

This permit is issued in accordance with the provisions of the Mississippi Surface Mining and Reclamation Law, Miss. Code Ann. § 53-7-1 et seq., and the regulations and standards adopted and promulgated thereunder.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

AUTHORIZED SIGNATURE

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

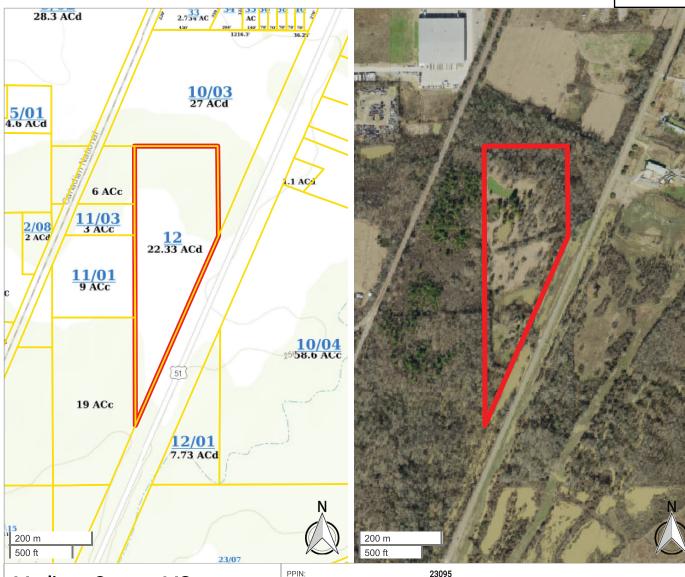
Issued: March 21, 2006

Expires: Five years from date of issuance

Permit No. P06-006 Application No. A1575

**EXHIBIT C2** 11/28/22, 3:12 PM Print

Section 3, Item A)



#### Madison County, MS

Madison County online map access is provided as a public service, as is, as available and without warranties, expressed or implied. Content published on this website is for informational purposes only, and is not intended to constitute a legal record nor should it be substituted for the advice or services of a licensed professional. Parcel map information is prepared for the inventory of real property found within County jurisdiction and is compiled from recorded deeds, plats, and other public documents in accordance with Land Records Technical Specifications for Base, Cadastral and Digital Mapping Systems. Users are hereby notified that the aforementioned public record sources should be consulted for verification of information. With limited exception, data available on this website originates from Madison County Land Records GIS and is maintained for the internal use of the County. The County of  $\label{eq:madison} \mbox{ and the Website Provider disclaim all responsibility and }$ legal liability for the content published on this website. The user agrees that Madison County and its Assigns shall be held harmless from all actions, claims, damages or judgments arising out of the use of County data.

MADISON Madison County Tax Assessor Norman A. Cannady Jr

> **Canton Location** 125 W North St (601) 879-9537

**694 1494** 1992 PO Box 292 Canton, MS 39046

ADDRESS1: ADDRESS2 CITY: STATE: ZIP: TOTAL AC: STREET\_NUM: STREET: SECTION: TOWNSHIP: RANGE:

PARCEL ID: OWNERNAME:

TAX DIST: LAND\_VAL: IMP\_VAL1: IMP\_VAL2: TOTALVALUE: DEED\_BOOK: DEED\_PAGE:

LEGAL1:

082E-22-012/00.00 KEY CRETE LLC 219 KEY DR

MADISON MS 39110 22.33

1909 HWY 51 22 08N 02E

22:33 AC IN E1/2 E 1/2 SW 1/4 W OF HWY

